

Message Text

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ORIGIN EA-09

INFO OCT-01 ISO-00 EB-07 CAB-02 CIAE-00 COME-00 DODE-00

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DRAFTED BY EA/IMS:ARDORNHEIM:CCH

APPROVED BY EA - MR. EDMOND

EB/TT/OA - MR. BROWN

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FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

C O N F I D E N T I A L STATE 205003

E.O. 11652: GDS

TAGS: EAIR, ID

SUBJECT: US-GOI CIVIL AIR NEGOTIATIONS AND GARUDA APPLICATION

REF: A. JAKARTA 9965 B. JAKARTA 9932

1. FYI CAB COUNSEL HAS ASKED FOR DEPARTMENT'S VIEWS ON STATUS OF CURRENT US-INDONESIA AIR TRANSPORT AGREEMENT AND ITS EFFECT UPON PRESENT GARUDA APPLICATION. DEPT'S REPLY NOTES THAT INDONESIA HAS INDICATED IT DOES NOT CONSIDER PRESENT AGREEMENT AN APPROPRIATE BASIS FOR CIVIL AIR RELATIONS BETWEEN OUR TWO COUNTRIES AND THAT US OFFICIALS HAVE BEEN UNABLE TO CHANGE THIS GOI OPINION THROUGH VARIOUS ROUNDS OF NEGOTIATIONS. REFLECTING THIS, GOI HAS ACTED AS IF AGREEMENT IS NO LONGER IN EFFECT AND HAS GRANTED US DESIGNATED CARRIER ONLY LIMITED ACCESS TO RIGHTS PROVIDED FOR IN AGREEMENT. SINCE THIS IS EXISTING SITUATION, DEPT BELIEVES CAB SHOULD DECIDE PRESENT PROCEEDING ON GARUDA APPLICATION "PRIMARILY ON BASIS OF COMITY AND RECIPROCITY AND WITHOUT REGARD TO EXISTENCE
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OF PRESENT BILATERAL AGREEMENT". END FYI.

2. MOST RECENT GOI DEFINITION OF WHAT IT WOULD REGARD AS "EQUALITY" IN AIR SERVICES IS APPARENTLY ITS PROPOSAL IN REF B. PROPOSAL'S EMPHASIS ON DIRECT, THIRD AND FOURTH

FREEDOM FLIGHTS WOULD OF COURSE MINIMIZE PAN AMERICAN'S HIGH INTERNATIONAL PASSENGER ACCEPTANCE AND GARUDA'S RELATIVELY LOW INTERNATIONAL PASSENGER ACCEPTANCE. PAN AM HAS INITIALLY AND INFORMALLY OPPOSED PROPOSAL IN SALIM JULY 24 LETTER.

3. OUR CONCEPT OF "RECIPROCITY" WOULD PERMIT GARUDA TO FLY A SCHEDULED SERVICE TO US, PROVIDED USG IS ABLE TO OBTAIN FOR ITS DESIGNATED CARRIER, AND TO MAINTAIN THROUGH REGULAR REVIEW PROCEDURES, AN ADEQUATE BALANCING OF BENEFITS. ACCEPTING ANYTHING LESS THAN THIS CONCEPT WOULD BE "UNEQUAL" FROM US POINT OF VIEW.

4. WE STILL HAVE NO WORD ON CAB HEARING DATE. MERPATI HAS NOW ACHIEVED STANDING AS A RECOGNIZED PARTY TO GARUDA CASE. KISSINGER

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Margaret P. Grafeld
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